

BANGLADESH (Tier 2)

Bangladesh is a source and transit country for men, women, and children trafficked for the purposes of forced labor and commercial sexual exploitation. Children – both girls and boys – are trafficked internally for commercial sexual exploitation, bonded labor, and other forms of forced labor. Estimates from UNICEF and other sources since 2004 suggest that between 10,000 and 29,000 children are exploited in prostitution in Bangladesh. Some children are sold into bondage by their parents, while others are coerced into labor or commercial sexual exploitation through fraud and physical coercion. The Center for Women and Child Studies reports that trafficked boys are generally under 10 years old and trafficked girls are between 11 and 16 years old. Women and children from Bangladesh are also trafficked to India and Pakistan for sexual exploitation. Bangladeshi men and women migrate willingly to Saudi Arabia, Bahrain, Kuwait, the United Arab Emirates (UAE), Qatar, Iraq, Lebanon, and Malaysia for work. Women typically work as domestic servants; some find themselves in situations of forced labor when faced with restrictions on movement, non-payment of wages, threats, and physical or sexual abuse. Similarly, Bangladeshi men and women migrate to Malaysia, the Gulf, Jordan, and Finland to work in the construction sector or garment industry; they are sometimes induced into forced labor through fraudulent job offers, or after arrival in the destination country. Illegal fees imposed formally by Bangladeshi recruitment agents sometimes serve to facilitate debt bondage situations. Some Bangladeshi women working abroad are subsequently trafficked into commercial sexual exploitation. Bangladeshi adults are also trafficked internally for commercial sexual exploitation, domestic servitude, and bonded labor. Some Burmese women who are trafficked to India transit through Bangladesh.

Bangladesh does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The number of criminal prosecutions for sex trafficking offenses increased significantly from last year, and convicted traffickers received significant jail sentences; at the same time, however, there was a notable decrease in the number of convictions achieved. The government shut down some labor recruitment agencies, and initiated criminal enforcement of laws overseeing migrant labor recruitment. However, no prosecutions for these arrests were completed in 2007. Areas of continued concern include the need for increased measures to protect expatriate laborers against forced labor, and increased action against internal bonded labor and forced child labor. In addition, the absolute number of victims of trafficking is large.

Recommendations for Bangladesh: Significantly increase criminal prosecutions and punishments for all forms of labor trafficking, including those that involve fraudulent recruiting and forced child labor; improve criminal law enforcement efforts against and punishment of government complicity in trafficking; and provide protection services for adult male trafficking victims and victims of forced labor.

Prosecution

The Government of Bangladesh made uneven efforts to punish trafficking offenses during the reporting period. The government prohibits the trafficking of women and children for the purpose of commercial sexual exploitation or involuntary servitude under the Repression of Women and Children Act of 2000 (amended in 2003), and prohibits the selling and buying of a minor under age 18 for prostitution in Articles 372 and 373 of the penal code. Article 374 of Bangladesh's penal code prohibits forced labor, but the prescribed penalties of imprisonment for up to one year or a fine are not sufficiently stringent to deter the offense. Prescribed penalties for sex trafficking are commensurate with those for other grave crimes, such as rape. Bangladesh lacks laws criminalizing the trafficking of adult males for commercial sexual exploitation. Government efforts to criminally address labor forms of trafficking improved in some areas, but remained poor in the areas of bonded labor and forced

child labor. Bangladesh shut down five recruitment agencies and initiated four criminal prosecutions against labor recruitment firms. The government arrested 76 individuals, started 19 investigations, and initiated 34 prosecutions for recruitment fraud. These cases are still under investigation or trial; thus, there were no related convictions during the reporting year. The Government of Bangladesh did not report specific information on any arrests, prosecutions, convictions, or punishments for forced child labor or bonded labor.

During the reporting period, the government opened 123 investigations, made 106 arrests, and initiated 101 prosecutions of sex trafficking offenses. Nonetheless, the government reported 20 trafficking convictions this year – 23 fewer than last year. Due to the length of court cases, many are resolved through illegal out-of-court settlements between victims and traffickers. Life imprisonment sentences were imposed on 18 of the convicted traffickers and the remaining two convicted traffickers received sentences of 14 and 10 years' imprisonment. Authorities conducted 20 investigations into government complicity in trafficking; no government officials, however, were prosecuted, convicted, or punished for complicity in trafficking due to a lack of sufficient evidence. There was no evidence that Bangladeshi peacekeeping officers were complicit in sexual exploitation.

Protection

The Government of Bangladesh made some efforts to protect victims of trafficking during the reporting period. The Ministry of Foreign Affairs distributed guidelines to all Bangladeshi diplomatic missions on the treatment of expatriate workers. These guidelines emphasize the importance of identifying and prosecuting perpetrators of trafficking, as well as assisting Bangladeshi trafficking victims regardless of whether they entered the destination country legally. Previous diplomatic efforts to assist Bangladeshi trafficking victims have reportedly been focused on negotiation with employers rather than assisting victims in filing criminal complaints against their traffickers. Bangladeshi embassies continue to operate safe houses in key destination countries. Within Bangladesh, police anti-trafficking units encourage victims to assist in the investigation of cases against their traffickers, and victims are not jailed or punished. Although Bangladesh is not a destination country for trafficking, the government does not systematically offer foreign victims legal alternatives to their removal to countries of origin. A continuing concern is the government's continued lack of efforts to protect victims of forced labor—who constitute a large proportion of trafficking victims in Bangladesh—as well as adult male victims of trafficking.

Prevention

Bangladesh made efforts to prevent trafficking in persons. The government reported efforts to prevent trafficking through memoranda of understanding with destination countries addressing destination countries' labor laws, requirements for labor contracts, and mechanisms for labor flows, although such agreements are not yet publicly available and they do not appear to comprehensively address trafficking issues. Domestically, the government continued to air a broad public awareness campaign warning potential victims of the risks of sex trafficking through various media. In addition, airport authorities screen travelers to identify and interdict potential victims and traffickers before they leave the country. Following Cyclone Sidr, police proactively looked out for women and children who were vulnerable to trafficking due to displacement. The Government of Bangladesh trains peacekeepers on trafficking prior to

deployment. Bangladesh did not report any actions taken to reduce the demand for commercial sex acts over the year. Bangladesh has not ratified the 2000 UN TIP Protocol.